

1912-018
Lee Co.

Charary Causes: France Miles, recd vs. Adm. of James F. Jones bc

Ball, Reasor, Riddle

CA-Debt

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia:

Humbly complaining, your orator, France Miles, Receiver &c.,, respectfully represents that at the July rules, 1887, of the said court, he filed therein his original bill in chancery, which is in the words and figures following, to-wit:

" To the Honorable H. K. Morison, Judge of the Circuit Court of Lee Co Va

Humbly complaining your orator France Miles will respectfully show your Honor that heretofore to wit on the 7th day of May 1887, before F. B. Cox one of the Justices of Lee County, he obtained a judgment against James F. Jones and F. T. Riddle for the sum of \$62.50 with interest thereon from the first day of January 1884 till paid and \$1.50 costs, And that on the same day and before the same Justice he obtained another judgment against the same parties for another sum of \$62.50 with interest thereon from the first day of March 1886 till paid, and \$1.50 costs. And that on the same day before the same Justice he obtained another Judgment for the sum of \$62.50 with interest thereon from the 1st day of March 1887 till paid & \$1.50 costs That on said 7th day of March 1887 executions were issued upon each of said three judgments which were placed for collection in the hands of J.G.Reasor one of the Constables of said County That on the 21st day of June 1887 the said constable returned said Judgments and executions to the clerk's office of Lee County with this return endorsed thereon, To wit, "not executed no property found". All of which will more fully appear by reference to said Judgments and executions here filed marked A.B. & C. Your orator will further show your honor that said judgments were at once duly docketed in the Judgment lien docket in said office which will also fully appear by reference to the memorana or endorsement of the Clerk made on said Judgments. Your orator will now show your honor that these judgments, no part of which or of either of them has been paid are liens upon the real estate of said Jones and Riddle or either of them. The said Jones has no land, or at least if he has any liable to this Judgments it is unknown to y ur orator. But the said F.T.Riddle is the owner of a valuable tract of land situated in the Turkey Cove in said County on which said judgments are liens. These lands adjoin the lands of J. M. Wyatt & others and he is advised that the rents and profits of said lands will not in five years renting pay said Judgments. In tender consideration whereof and your orator being without adequate remedy at law and properly relievable in a court of chancery he prays that the said James F. Jones and F. T. Riddle be made parties defendant to this bill and required to answer its allegations on oath that said lands or the lands of either of them if the said Jones has any or so much thereof as is necessary be sold to satisfy your orator's said Judgments. And that your Honor will grant to your orator such further and general relief as may be consistent with equity and the case requires.

May spa.issue &c.

C. T. Duncan,
Attorney for Complainant."

France Miles,

Your Orator further represents that the said bill was regularly matured at Rules and set for hearing at the September term, 1887, of the said court, when on the 1st day of September,

1887, the said Jones and Riddle filed therein their joint answer which is in the words and figures following, to-wit:

"To the Honorable H. S. K. Morrison, Judge of the circuit court of Scott county

The joint & separate Answer & Demurrer of James F. Jones & F. T. Riddle to a Bill filed against them in this Honorable court by France Miles

Respondents for Demurrer to complainants said Bill say that the matters & things in said Bill as therein stated are not sufficient in law for him to have and maintain the same against these Respondents. Wherefore they pray judgment of the court when &c.

But should they be required to further answer not waiving the benefit of their said Demurrer, Answering say that perhaps it may be true that Complainant obtained the judgments complained of as the officer told Respondent J. F. Jones at one time that he had the judgments, but he fails to file them with his Bill, hence they can not admit them but require proof of the same. As to the return of the officer Respondents cannot state as the same are not filed with his Bill. Respondents however state that they had some personal property liable to levy that the said officer could have levied on if he had called for the same or ever intimated that he had the judgments complained of

The notes referred to by complainant were for a debt due from Respondent J. F. Jones & the said Riddle was his security. Respondent denies that their lands will not rent for a sum sufficient to pay said debts complained of in five years. Upon the contrary their lands will rent for a sum ample & sufficient to pay said debts in less than five years renting and complainant well knew that fact when he made that allegation in his said bill.

Respondents are advised that it is not proper or right to sell lands except for the purchase price of the same when when the lands will rent for a sum sufficient to pay said debts interest and costs. and the debts complainant attempts to set up are not purchase money debts for the land or any part of the land sought to be sold by complainant in his bill the debts accrued in this way: Said James F. Jones owed a debt or debts & the lands of Mary Jones were rented to pay the same & Respondent Jones rented the said land & said Riddle endorsed the rent notes as surety as aforesaid for said J. F. Jones. The land now sought to be sold is not the Mary Jones land. In fact Respondents denies that complainant has any valid & just lien upon the lands he seeks to sell, & as hereinbefore stated these lands now sought to be sold will in less than five years pay out these debts by renting.

Respondents having now answered so much of complainants said bill as they are advised it is material or necessary for them to answer hereby denying each allegation not herein admitted or denied, pray to be hence dismissed with their reasonable costs &c.

Holdway.

Virginia, Lee County, to-wit:

This day F. T. Riddle made oath before me that the facts stated in the foregoing answer are true so far as they depend upon his own knowledge & that so far as they depend upon information derived from others he believes them to be true this 31st day of August 1887.

John Riddle, J.P."

And at the same term of the court, and on the same day, to-wit: Sept. 1st, 1887, a decree was entered in the said cause, which is in the words and figures following, to-wit:

"France Miles

Pitff.

vs.

In Chcy.

James F. Jones et als.

Defts.

This cause came on this day to be heard upon the bill of the complainant the answer of the defendant and special replication thereto and was argued by counsel. And the defendants admitting said

Judgments in their answer, it is therefore adjudged, ordered and decreed that the complainant recover of the defendants the sum of one hundred and ninety two dollars with legal interest on sixty two & 50/100 dollars part thereof from the first day of January 1884 till paid and with like interest on sixty two 50/100 dollars another part thereof from the first day of March 1886 till paid, and on sixty two dollars and fifty cents another part thereof from the first day of March 1887 till paid. And the defendants claiming in their answer that the lands will in 5 years renting pay said judgments & interest and the costs of this suit on consideration whereof it is adjudged ordered and decreed that unless said Defendants or some one for them shall within 30 days from the rising of this Court pay to the said Plaintiff said sum above herein decreed to be paid by them, and the costs of this suit then C. T. Duncan who is appointed a commissioner for the purpose shall rent said land for the least period of time for which they will rent for a sum sufficient to pay said sum the interest thereon and the costs of this suit. Said renting shall be on a court day at the front door of the court house and the commissioner will require to be paid down a sum sufficient to pay the costs of this suit and commissions of renting and for the residue he will take notes bearing interest from date and payable in yearly installments. But before proceeding to rent said land as herein provided said Commissioner will execute bond before the clerk of this Court in a penalty of three hundred dollars conditioned to faithfully pay out and account for all money recd by him. he will then advertise the time terms and place of renting by posting written notices thereof at three public places in said County. Said Commissioner will report to Court and the cause is continued.

On the 20th day of September, 1887, the said C. T. Duncan executed and filed in the said cause a bond in the penalty of Three Hundred Dollars, with France Miles as security therein, which bond is in the words and figures following, to-wit:

"Know all men by these presents that we C. T. Duncan and France Miles are held and firmly bound unto the Commonwealth of Virginia in the sum of Three Hundred Dollars, and for the prompt payment thereof well and truly to be made unto the said Commonwealth we each bind ourselves, heirs &c., and we as to this bond waive our homestead exemption witness our hands and seals this 20th Sept 1887.

The condition of the above obligation is such that whereas the above bound C. T. Duncan was appointed a commissioner in the chancery cause of France Miles vs. Jas. F. Jones et al., at the Aug. term 1887 of Lee Circuit Court, and directed to rent the land in the bill mentioned. Now therefore should the said Duncan as such Comr. faithfully perform the duties ~~required~~ assigned him and properly account for all sums of money he may receive under the decree, then this obligation to be void, otherwise to remain in full force and virtue.

C. T. Duncan, (Seal.)

France Miles (Seal.)

There appears among the papers of the said cause an advertisement of the said land, which is in the words and figures following, to-wit:

NOTICE!

---O---

LAND TO RENT.

France Miles, Receiver

Plaintiff.

vs.

In Chancery.

James F. Jones et al.

Defendants.

By virtue of a decree of the Circuit Court of Lee County passed in the above styled cause at its Sept. term 1887, the undersigned Special Commissioner appointed such thereby, will proceed at the front door of the court-house of Lee County on the first day of the Febry term thereof in the year 1889, to rent out to the highest bidder

at public auction on the terms hereafter stated, the tract of land belonging to the deft. F.T.Riddle for the shortest ~~fixed~~ length of time that the same will yield the sum necessary to pay the debt decreed the plft. and the costs of suit and commissions of renting, a statement of which is shown below.

At this renting so much cash in hand will be required as will pay the costs of suit and commissions of renting, and as the the residu the same will be made payable in equal annual installments during the leased period with interest from date and the lessee will be required to execute bond with approved security for the deferred annual payments.

G. T. Duncan, Com'r.

The bond has been given.

		J. A. G. Hyatt, C.C.	
Amount of	Debt.	\$187.50
"	Int.	47.25
"	Costs	32.27
"	Com.	13.37
			<u>\$280.89</u>

There also appears among the papers of the said cause a receipt which is in the words and figures following, to-wit:

\$11.27 Received of G. T. Duncan Comr. in the chancery cause of France Miles Receiver vs James F. Jones & F. T. Riddle Eleven Dollars & 27 cents in full of my fees in said cause to January 1, 1889. J. A. G. Hyatt, C.C."

Now your orator is unable to state whether any renting was ever held under the said decree aforesaid, or not, but he alleges that no such renting was ever held, or if held, that any report thereof was ever made and filed, or confirmed or acted upon in any way by the court.

And your orator alleges that no part of the judgments set out in his said original bill was ever paid to him by any one, and that the same and every part thereof are yet due and owing to him by the said James F. Jones and F. T. Riddle.

And your orator alleges also that the said James F. Jones has recently departed this life intestate, and that his estate has been committed to P. M. Ball, sheriff of Lee County, for administration.

Your orator further alleges that at the time of his death and for many years prior thereto the said James F. Jones was in the possession of a small tract of land lying on the north side of Wallen's ridge, near the top thereof, adjoining the lands of D. E. Clarkston and others, and containing some fifteen acres. Your orator is unable to state what legal title if any the said Jones had to the said land, but he alleges that the said Jones fences the same up and used and cultivated the same, and was in the open, notorious, adversary and

exclusive possession thereof, claiming it as his own, for more than ten years prior to the date of his death, so that his possession had ripened into perfect title.

Your orator further alleges that the said F. T. Riddle is the owner of a very valuable tract of land situated on the north side of Wallens ridge in the Turkey Cove, adjoining the lands of Arminta Reece, W. A. Ward, the heirs of J. M. Wyatt, dec'd, and others, being that part of the Jackson M. Jones tract of land who was assigned to him in a partition of the same between him and the said Arminta Reece, and for a full description of the same reference is here made to the said partition which is recorded in the Lee County Clerk's office.

The object therefore, of this amended bill is (1) to have the account of P. M. Ball, administrator of the said James F. Jones, dec'd, settled, (2) to have the debts against the estate of the said Jones, dec'd, ascertained by a commissioner of the court, (3) to have the liens against the lands of the said F. T. Riddle ascertained by a commissioner of the court, and (4) to sell the land owned by said Jones at the time of his death, and have the proceeds thereof applied to his indebtedness in the proper order of priority, and (5), should the estate of the said Jones prove insufficient to pay his indebtedness, as doubtless it will, so that there should remain unpaid by his said estate any part of the judgments of your orator against him and the said F. T. Riddle, then to have so much of the lands of the said F. T. Riddle sold as shall be necessary to pay the balance thereof.

Your orator alleges that the lands of the said James F. Jones dec'd and F. T. Riddle will not, nor will either of them, rent for a sum sufficient to pay the said indebtedness within five years.

Your orator further alleges that the said James F. Jones left surviving him five children to whom his real estate descended at the time of his death, to-wit: Malissa Reazor, wife of P. M. Reazor, Lizzie Jones, who is unmarried, Manassa Reazor, wife of John Henry Reazor, and C. H. Jones and B. Crockett Jones, all of whom are of full age, and all of whom reside in Lee County, except the said C. H. Jones, who is a resident of the State of West Virginia.

The prayer, therefore, of your orator is that the said P. M. Ball, administrator of the estate of the said James F. Jones, dec'd, Malissa Reazor, Lizzie Jones, B. Crockett Jones, Manassa Reazor, and Chas. H. Jones, and F. T. Riddle be made parties defendant to this bill: that they be required to answer the same fully, but they need not do so under oath as that is waived: that order of publication be made against the said C. H. Jones, who is not a resident of the state of Virginia: that a commissioner be appointed to ascertain and report the indebtedness, by judgment, or otherwise, against the estate of the said James F. Jones, dec'd: that settlement be made of the account of the said P. M. Ball, administrator as aforesaid: that the real estate owned by the said James F. Jones at the time of his death be sold, and the proceeds thereof applied to his indebtedness in the proper order of priority: that the liens against the real estate of the said F. T. Riddle be also ascertained: and, if necessary, that the real estate of the said Riddle be sold to satisfy the judgments of your orator set out fully in his said original bill: and that full general relief be granted him, and he will ever pray &c. May subpoena issue &c.

L. T. Wyatt, p'q'

Court Tax 15.00
 Alky - 15.00
 G.P.C. Court 15.75
 Sheriff - 3.00
 Ewing Clerk - 13.15
 Ewing Clerk - 1.47

 49.87

15th Feb. Court AS.
 Dec 7-1412

\$12.57

France Miles, Reer
 vs J. L. Chaucery
 P. M. Ball, Adm'r
et al

F. J. Riddle Branch

1905 1st Feb. Rules

Bill filed Sp.
 executed as to
 D.N. as to ~~Sp.~~ O.P.
 home dep't
 for C. H. Jones.

2nd Feb. Rules.
 D.N. confd. O.P.
 completed & came
 out for hearing by
 self.

France Miles, Receiver..... Plaintiff.

Vs.

F.T.Riddle and others Defendant.s.

and

France Miles, Receiver,Plaintiff.

Vs.

P.M.Ball and othersDefendants.

These causes came on this day to be heard upon the papers formerly read therein, the report of Special Commissioner George P. Cridlin, filed herein on the 10th day of February, 1912, and his report filed herein March 26th, 1912, and was argued by counsel.

On consideration of all which and it appearing to the court that each of said reports are not excepted to, are hereby approved and confirmed. And it being stated by R.L. Pennington of counsel for France Miles that the judgments in favor of said France Miles against F.T. Riddle amounting to the aggregate sum of \$490.84, as shown by the said Commissioners report, with interest calculated to the first day of May, 1912, and the costs of this suit, have been compromised and paid by the said F.T. Riddle by the payment of the sum of \$500.75, it is adjudged, ordered and decreed that the said judgments reported by the said Commissioner in favor of said Miles and the lien created thereby against the real estate of the said F.T. Riddle be and the same are hereby adjudged to be settled and the lien thereof released, and there remaining nothing further to be done in these causes, the same are each hereby stricken from the docket.

Frances Miles -

vs { Decree
Final

F. P. Riddle

Entered in C. O. B.
Page 305

Ends this

May 8-1912

H. A. W. Oliver

France Miles, Receiver, &c.Complainant.

Vs. In Chancery.

F.T.Riddle.....Defendant.

This cause came on this day to be heard upon the papers formerly read therein, the report of Special Commissioner, George P. Cridlin, filed in this cause on February 10, 1913, and argument of counsel.

On consideration of all which said report of said George P. Cridlin being unexcepted to, is hereby approved, and the court being of opinion that the suggestion made by the said Commissioner in his report that only the liens against the estate of F.T.Riddle be ascertained, it is therefore adjudged, ordered and decreed that the said George P. Cridlin, Commissioner, proceed, after having given the parties or their attorneys five days notice of the time and place of his sitting, to ascertain and report to the court all the judgment and other liens against the real estate of the said F.T.Riddle, and whether or not the said real estate will rent for a sum sufficient in five years to pay the judgment liens exclusive of all other liens, and make his report to the next term of this court, and this cause is continued.

Frances Miles, Rec.

20 { Dec
 { 1862

F. T. Riddle

Entered in C. B.
No. 9. page 277

Entered this

Feby 27th 1912

J. H. Anderson

France Miles, Receiver re
vs. $\frac{3}{2}$ J. S. Jones Jr. Branch
P. M. Ball, Adm'r et al
and

France Miles, Receiver re
vs. $\frac{3}{2}$ J. S. Riddle Branch
P. M. Ball, Adm'r et al

It is ordered that Geo P. Bridlin
be and he is hereby appointed Com-
missioner in the room and stead of
H. M. Gains, deceased, who was here-
before appointed a commissioner in
this cause; and said Commissioner
Myatt will make full report to the
court as soon as possible, on all
matters referred to said Gains by
a former decree of this court, and
the cause is continued

Francis Miles, Adm'r

vs { In Chy

M. Ball, Adm'r

Decree for Comm

Entered in C.O.B.
#8, page 149-

Enter his decree
May 21, 1906
H. A. W. Stone

Entered May 15-1905

France Miles, Receiver &c.....Plff.

Vs. In Chancery.

P.M.Ball, Administrator of the estate of James F. Jones, dec'd.,
Malissa Reasor, Lizzie Jones, B. Crockett Jones, Manassa
Reasor, Chas. H. Jones and F.T.RiddleDefts.

and

France Miles, Receiver &cPlff.

Vs. In Chancery

P.M.Ball, Admr. estate of James F. Jones, Sr. dec'd., P.M.Ball,
Admr. estate of James F. Carter, dec'd., P.M.Ball,
Admr. de bonis Non of the estate of James F. Jones, Jr.,
dec'd., Beverly C. Jones, Chas. H. Jones, Elizabeth Jones,
Malissa Reasor and Manassa Ann Reasor.....Defts.

On motion of the plaintiff in the above styled causes, it is ordered that same be brought on to be heard together. Thereupon these causes came on this 15th day of May, 1905, to be heard on the original bills and the papers therewith and papers formerly read in the said causes; the amended bill of the plaintiff in the said first above styled cause, regularly matured at rules and set for hearing by the plaintiff; the said amended bill in the second above styled cause and exhibits therewith, regularly matured at rules and set for hearing by the plaintiff, and was argued by counsel. On consideration of all which, and it appearing to the Court that service of process in the first above styled cause has been accepted by P.M.Ball as administrator of the estate of James F. Jones, Sr., dec'd; that process therein has been duly served by J. T. Hughes, Deputy for P.M. Ball, Sheriff of Lee County, on Malissa Reasor, Lizzie Jones, B. Crockett Jones, Manassa Reasor and F.T.Riddle, and that order of publication therein has been duly made, published and posted as required by law; and that the said defendants have each failed to appear, plead, answer, or demur to the said bill; it is therefore adjudged, ordered and decreed that the said amended bill in the first above styled cause be and the same is hereby taken for confessed as to all the said defendants thereto. And it further appearing to the Court that service of process in the second above styled cause has been accepted by P.M.Ball, as administrator of the estate of of James F. Jones, Sr., dec'd., also as administrator of the estate of James F. Carter, also as administrator de

bone's non of the estate of James F. Jones, Jr., dec'd., that process therein has been duly served on Beverly C. Jones, Lizzie Jones, Malissa Reasor and Manassa Ann Reasor; that order of publication therein has been duly made, published and posted as to Chas. H. Jones, who is not a resident of the state of Virginia; and that they have each failed to appear, plead, answer or demur to the said amended bill in said second above styled cause, it is, therefore, adjudged, ordered and decreed that the said amended bill in said second above styled cause be and the same is hereby taken for confessed as to all of the defendants therein.

And, on motion of the plaintiff in the said causes, it is further adjudged, ordered and decreed that these causes be referred to A. M. Goins one of the Commissioners of this Court, whose duty it is hereby made;

FIRST: To take, state and settle the administration account of P. M. Ball, administrator of the estate of James F. Jones, Sr., dec'd., showing what amount, if anything, is in the hands of said administrator for the payment of the debts of the said decedent, on what sum should have come into his hands by the use of due diligence;

Second: To ascertain and report what real estate, if any, the said James F. Jones, Sr., dec'd, possessed and owned at the time of his death;

Third: To convene the creditors of the said estate of the said James F. Jones, Sr., dec'd, and ascertain and report to the Court the indebtedness of the said estate, by judgment, or otherwise, showing priorities, amounts, and to whom due;

Fourth: To ascertain and report to the court the indebtedness of the estate of James F. Jones, Jr., dec'd, showing to whom due, the
Fifth. To ascertain the other liens if any against
amount thereof, and their priorities, the real estate owned by the said James F. Jones, Sr., dec'd, at the time of his death, showing amounts, priorities, and to whom due;

Sixth: To ascertain and report to the court the liens, by judgment, or otherwise, against the real estate of F. T. Riddle.

Seventh: To ascertain and report to the court the rental value respectively, of the lands owned by the said James F. Jones, Sr.,

dec'd., and James F. Jones, Jr., dec'd, at the dates of their death, respectively, and of the real estate now owned by the said F.T. Riddle.

Eighth; To report any other matter deemed pertinent by himself, or required by any party in interest.

But before proceeding to execute this decree the said commissioner will give at least ten days notice of the time and place of his sitting to counsel for the plaintiff and to all the defendants except C.H. Jones, who has been proceeded against by order of publication. The said Commissioner will hear all proper evidence produced before him, will reduce the same to writing and return the same with his report. The said Commissioner will especially report whether there are any taxes due on any of the lands sought to be subjected in these cases.

And the cause is continued.

Ordered that court be adjourned until to-morrow morning at 9 o'clock.

H.A.W. Skeen.

Continued 20 Sept 1905

France Miles, Receiver.....Plff.

Vs. In Chancery.

P.M. Ball, admr. et als.....Defts.

This cause came on this day again to be heard upon the complainants bill and the papers filed therewith, and the demurrer of the defendants, Beverly C. Jones, Charles H. Jones, Elizabeth Jones, Malissa Reasor, and Manassa Reasor, devisees under the will of James F. Jones, Jr., and of P. M. Ball, admr. de bone's non of the estate of James F. Jones, Jr., and the rejoinder thereto by the complainant; and was argued by counsel. In consideration of all which it is adjudged, ordered and decreed that said demurrer be sustained and the complainant's bill be dismissed as to the said administrator de bone's non of the estate of James F. Jones, Jr., and the said devisees and beneficiaries under the Will of the said James F. Jones, Jr.,

It is further adjudged, ordered and decreed that said defendant recover of the complainants their costs.

Thereupon the administrator of the estate of James F. Jones, Sr., as well as the heirs at law of the said James F. Jones, Sr., by leave of the court filed their joint and separate answer to said bill to which the complainant replied generally. And this cause is continued.

Ordered that Court be adjourned till to-morrow morning at 9 o'clock.

H. A. W. Skeen.

Entered May 21 1906 -

France Miles, Receiver &c.

Vs. J.F. Jones, Jr. Branch.

P.M. Ball, Admr. &c. et al.

and

France Miles, Receiver &c.

Vs. F.T. Riddle, Branch.

P.M. Ball, admr. &c. et al.

It is ordered that Geo. P. Cridlin be and he is hereby appointed Commissioner in the room and stead of A.M. Goins, deceased, who was heretofore appointed a Commissioner in this cause; and said Commissioner Hyatt will make full report to the Court as soon as possible on all matters referred to said Goins by a former decree of this Court. And the cause is continued.

France Micro Re

vs } Copies of
 } Greek Eulid
 } May 1905
 } Sept 1905
 } May 1906

O.M. Bull et al

FRANCE MILES. RECEIVER &c. - - - - - Plaintiff

Vs. In Chancery.

F.T.Riddle, - - - - - Defendant.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of
Lee County, Virginia:

Your undersigned who was by a decree entered by your Honor
in the above styled cause, on the 21st day of February, 1912,
appointed a Special Commissioner for the purpose and directed to
ascertain and report to Court all the judgment and other liens
against the real estate of F.T.Riddle, and whether or not the
said real estate will rent for a sum sufficient in five years to
pay off the judgment liens exclusive of all other liens, begs
leave to report as follows:

Your Commissioner gave notice of the time and place of his
sitting, which notice is hereto attached, with the return showing
the manner of service of same thereon, and on the day fixed by
said notice your Commissioner proceeded to perform the duties re-
quired of him by said decree.

Your Commissioner attaches to this report a list of the liens
against the lands of F.T.Riddle, which statement is marked "State-
ment No. 1", and which statement shows all the existing and enforce-
able liens against said lands. These liens amount as of the 1st day
of May, 1912, to \$490.84, and are due to the plaintiff in this cause.

Your Commissioner desires to state that there are three or four
other judgments of record against said Riddle which have not been
satisfied on the Lien docket, but upon investigation your Commis-
sioner finds that these judgments are very old, and from what the
record shows seem to be barred by limitation, and there being no
proof before your Commissioner that said judgments are still owing,
he has thought it proper to not report them as liens against this
real estate.

As to the judgments reported in favor of the plaintiff, the
depositions of said plaintiff and of C.F.Duncan were taken and

filed before your Commissioner as evidence and are hereto attached.

As to whether or not the said real estate of F.T.Riddle will rent for a sum sufficient to pay off the judgment liens against the same in five years, the deposition of J.A.G.Hyatt was taken and filed before your Commissioner, and it furnishes the only evidence upon the point. Mr.Hyatt says that he considers \$100.00 per year a reasonable rental for said land. This would aggregate \$500.00 in a period of five years. The judgment liens against said land as here reported amount to \$490.84, and when the costs of this cause, which will amount to from \$35.00 to \$60.00 are added to said judgments, such a rental would not pay off the same in five years. Therefore from the evidence before him, your Commissioner must report that said real estate will not rent for a sum sufficient in five years to pay of the judgment liens against the same. The deposition of said Hyatt is also attached hereto.

All of which is respectfully submitted,

Geo. P. Cridlin
Special Commissioner.

Virginia, Lee County, To-wit:

~~I, Geo.P.Cridlin, Special Commissioner in the Chancery cause of France Miles Receiver Vs, F.T.Riddle, do hereby certify that the foregoing depositions of C.T.Duncan, France Miles and J.A.G.Hyatt were taken, sworn to and subscribed before me at the times, place and for the purpose in the caption mentioned.~~

~~Given under my hand this the 26th day of March, 1913.~~

Special Commissioner.

N-O-T-I-C-E .

Trance Miles, Receiver ad. - - - - - Plaintiff.

vs. In Chancery.

A. I. Riddle - - - - - Defendant.

Whereas, by a Decree entered in the above styled cause by the Circuit Court of Lee County, Virginia, on the 21st day of February, 1912, it was among other things adjudged, ordered and decreed that the undersigned Geo. P. Cridlin was appointed a Special Commissioner for the purpose and directed to receive and report to the said court all the judgment and other liens against the real estate of the said A. I. Riddle, and whether or not the said real estate will be sufficient in five years to pay the judgment liens, exclusive of all other liens.

Now, therefore, NOTICE is hereby given that the undersigned will sit in his office in the town of Jonesville, Lee County, Virginia, on the 15th day of March, 1912, for the purpose of performing the duties required of him by said decree, at which time and place all persons in interest are required to attend with all books vouchers, papers and other evidence which may be necessary to enable said Commissioner to ascertain the facts required. If said account is not completed on said date, the taking thereof will be adjourned from time to time and from place to place or at the same place, until the same is completed.

This February 26th, 1912.

Geo. P. Cridlin
Special Commissioner.

*Legal service of the above notice is
hereby accepted. This March 4, 1912.*

*Runnymede Boyd atty. for
Trance Miles.*

List of Liens against the lands of
J. T. Riddle, with their amounts and priorities

Order of
Priority
A

Judgment in favor of France Mills against J. T. Riddle and James J. Jones, Rendered May 7, 1887, Docketed June 21, 1887, Int. from Jan. 1, 1884, J. L. D. 2 p. 163	\$62 50		
Interest from Jan. 1, 1884 to May 1, 1912	106 20		
Cost	1 75	170 45	

A B.

Judgment in favor of France Mills against J. T. Riddle and Jas. J. Jones Rendered May 7, 1887, Docketed May 7, 1887 J. L. D. No. 2 p. 163, Int. from Mch. 1, 1886	\$62 50		
Interest from Mch. 1, 1886 to May 1, 1912	98 12		
Cost	1 75	162 37	

A

Judgment in favor of France Mills against J. T. Riddle and Jas. J. Jones, Rendered May 7, 1887, Docketed June 21, 1887, J. L. D. No. 2 p. 163, Int. from Mch. 1, 1887	\$62 50		
Interest from Mch. 1, 1887 to May 1, 1912	94 27		
Cost	1 25	158 02	
Total as of May 1, 1912		\$490 84	

The above judgments are equal in
order of priority

"Statement No. 1"

The depositions of C.T.Duncan and France Miles taken before me, George P. Cridlin, Special Commissioner in the Chancery cause of France Miles, Receiver, &c. Vs. F.T.Riddle and others, at my office, in The Town of Jonesville, Va., on the 15th day of March, 1912, to be read in behalf of the plaintiff in said cause in the matter pending before me as Commissioner under decree of the Circuit Court for Lee County entered in said cause.

Present: R.L.Pennington, of counsel for plaintiff.

No one for defendants.

C.T.Duncan, a witness of lawful age being duly sworn deposes and says:

Q- 1- In the original bill filed in this cause at the first July rules, 1887, it is sought to have enforced the claim of the plaintiff against the real estate of F.T.Riddle and under the said bill there was a decree entered in the Circuit Court for Lee County on the first day of September, 1887, giving judgment for the plaintiff's claim and appointing you as Commissioner to rent the lands of F.T. Riddle for a sum sufficient to pay the claim of the plaintiff, costs and commissions. On the 20th day of September, 1887, it appears by the records that you as Commissioner executed a bond with France Miles as surety pursuant to the terms of the decree and that under the said decree you advertised the land for renting for the first day of the February term of the court, 1889. It appears also from the record in the original file that you paid to the Clerk of the Court at that time, Mr. J.A.C. Hyatt, the sum of \$11.20. It does not appear, however that there was every any decree confirming any renting to have been made. I will ask you to state whether under the said decree and pursuant to the advertisement made, you did make any renting of the land of F.T. Riddle, and whether you received any money under the said decree as Commissioner, and if so, how much, and what you did with it as you now remember?

A. This proceeding, as shown by the papers to which you have just called my attention, is a very old one. Pursuant to the terms of

that decree, I advertised the land in the bill and proceedings mentioned for renting. Some time prior to the day fixed for renting, Mr. Riddle made a contract with me for the renting of said land agreeing to pay, as I now remember it, the amount of said judgment, with interest and costs, including commissions of sale, and I prepared notes for him to be executed for the same and to be returned to me with security to be approved by me. These notes were never returned and so far as I can now remember, all the costs and commissions were not paid, though a part of the costs as I remember was paid, and I find that about the first of January, I paid the costs due the Clerk, Mr. Hyatt. I never made a report of said renting so far as I can now remember. I know I never reported the renting because the notes for the same never was returned to me executed and no money was ever paid to me on the renting, to be applied on the principal of the debt. Mr. Riddle stated to me several times afterwards that he was going to settle the amount with the parties entitled thereto, and I have some recollection of his setting up claim that part of it was going to himself, but as to this I do not know. I know that he never brought me any receipt or notes, or never paid me a cent of money on said judgment, or in any other way except on costs of the Chancery suit, and my recollection is that all the costs never were paid and that none of the commissions ~~were~~ were paid, because I do not think that I would have received the commissions at all until I received the notes. I can state positively that Mr. Riddle never paid me \$132.00 or any other sum on this indebtedness. About the same time there was other litigation against Mr. Riddle and perhaps Mary Jones, for renting of this particular piece of land. Judge Orr was appointed a Receiver or Commissioner in that matter and my understanding is that Mr. Riddle did pay him some money. There was five years of renting for that land, only three of which is involved in this suit. I do not know, at least I do not recollect, what was done with the renting.

And further this witness sayeth not.

Wit. 1 day 50 cts.

W. J. Deane

France Miles, another witness of lawful age being duly sworn deposes and says:

Q-1- Are you the plaintiff in this case.

A. I am.

Q-2. This is a suit originally instituted by you at the first July rules, 1887, to enforce three judgments of \$62.50 against J.F. Jones as principal, and F.T. Riddle as surety, the object of the suit putting your land on sale and lands of F.T. Riddle to satisfy the said judgments. Please state whether or not J.F. Jones, F.T. Riddle, or any other person has ever paid to you either of said judgments, or any amount to go as a credit thereon.

A. Not a dollar.

Q. Do you remember in this case of Judge Duncan as Commissioner having advertised the lands of F.T. Riddle for renting at the September term, 1889.

A. Yes sir.

Q- State whether or not at the time this renting was advertised F.T. Riddle, J.F. Jones, or anybody else, to your knowledge, paid Judge Duncan anything on the principal of your debts as Receiver against them?

A. Nothing that I know of.

Q. Do you remember of Riddle or Jones making any arrangements with Judge Duncan about taking notes for the amount that was due on the judgments and getting them signed up?

A. Yes sir. my recollection is that they come here and made an arrangement as they considered it and they took notes back home with them to get secured. I never did hear tell of the notes any more and I asked Judge Duncan a short time afterwards if they had ever returned those notes, and he said he had never heard a word from them.

And further this witness sayeth not.

France Miles

Adjourned to March 22, 1912, at same place.

Geo. P. Cridler
Special Commissioner

Met pursuant to adjournment on March 22, 1912.

J. A. G. Hyatt, another witness of lawful age, after being called and duly sworn, deposes and says:

Q-1- State whether or not you are acquainted with the lands of F. T. Riddle, and if so, how long have you known these lands. And state what, in your opinion, would be a fair cash annual rental value for said lands?

A. I am acquainted with said lands and have been most all my life, owning land until recently right in the same neighborhood. I consider \$100.00 a year would be a reasonable rent.

And further this deponent sayeth not.

Wit. Clarius 1 day 50cts.

J. A. G. Hyatt

Virginia, Lee County, Virginia:

I, Geo. P. Cridlin, Special Commissioner in the Chancery cause of France Miles, Receiver, vs. F. T. Riddle, do certify that the foregoing depositions of C. T. Duncan, France Miles and J. A. G. Hyatt, were taken, sworn to and subscribed at the times, place and for the purpose in the caption mentioned.

Given under my hand this the 25th day of March, 1912.

Geo. P. Cridlin
Special Commissioner.

Fraunce Miles, Rec. &c.

vs. { In Chy.

J. T. Riddle

Comrs. Report of Luns.

Filed March 26, 1912.

J. D. Edds, Clerk.

Costs of Report

Sheriff .50

Witnesses 1.00

Comr. 6.75

\$8.25

France Miles, Receiver &c. - - - - - Plaintiff.
Vs.
P.M. Ball, Admr. &c. et al - - - - - Defendants.

And

France Miles, Receiver &c. - - - - - Plaintiff
Vs.
P.M. Ball, Admr. &c. et al - - - - - Defendants.

To P.M. Ball, admr. of the estate of James F. Jones, Sr. decd.; P.M. Ball, admr. of the estate of James F. Carter, deceased; P.M. Ball, admr. of the estate of James F. Jones, Jr., decd.; Malissa Reaser, Lizzie Jones; B. Crockett Jones; Mannassa Reaser; F.T. Riddle, Beverly C. Jones; Chas. H. Jones; and France Miles:

Whereas by a decree entered in the above styled causes now pending in the Circuit Court of Lee County, Virginia, on the 21st day of May, 1906, appointeing the undersigned for the purpose and requiring him to ascertain and report as follows:

1. To take state and settle the administration account of P.M. Ball, administrator of the estate of James F. Jones, Sr., decd., showing what amount, if anything, is in his hands as said administrator for the payment of the debts of the said decd., or what sum should have come into his hands by the use of due dilligence;
2. To ascertain and report what real estate, if any, the said James F. Jones, Sr., decd. possessed and owned at the time of his death;
3. To convene the creditors of the said estate of the said James F. Jones, Sr. decd., and ascertain and report to the Court the indebtedness of the said estate, by judgment or otherwise, showing priorities, amounts and to whom due;
4. To ascertain and report to Court the indebtedness of the estate of James F. Jones, Jr. decd., showing to whom due, the amount thereof, and their priorities; ^{to ascertain the same} the real estate owned by the James F. Jones, Sr. decd., at the time of his death;
5. To ascertain and report to Court the liens, by judgment or otherwise, against the real estate of F.T. Riddle;
7. To ascertain and report to the Court, the rental value respectively, of the lands owned by the said James F. Jones, Sr., decd., and James F. Jones, Jr., decd., at the time of their deaths, and of the real estate owned by the said F.T. Riddle;
8. To report any other matter deemed pertinent by himself or required by any party in interest.

Now, therefore, NOTICE is hereby given that the undersign will sit in his office in the town of Jonesville, Virginia, on the 29 day of November, 1911, for the purpose of performing the duties required of him by said decree, at which time, and place all parties in interest are required to attend, with such papers, vouchers, books and other evidence as will enable the undersigned to perform said duties. Said sittings will be adjourned from time to time, and from place to place or at the same place until said work is completed.

This the 14th day of November, 1911.

Geo. P. Bridlee
Special Commissioner

France Miles, Rec.

vs. { In chq.

P. M. Ball, Admr. et al

Commissioner's Notice

Legal service of the
within ~~Notice~~ is
herby accepted
Receiveth ~~from~~
accept for Plaintiff

Witnessed by delivering
a true copy of the within

D. F. F. Kiddle

Barack Jones Giddy

Jones In Person Nat the

25/1911

Thomas Caoney D &

240 W of Jucker S. F. P

France Miles, Receiver &c. - - - - - Plaintiff.
Vs.
P.M. Ball, Admr. &c. et al - - - - - Defendants.

And

France Miles, Receiver &c. - - - - - Plaintiff
Vs.
P.M. Ball, Admr. &c. et al - - - - - Defendants.

To P.M. Ball, admr. of the estate of James F. Jones, Sr. decd.; P.M. Ball, admr. of the estate of James F. Carter, deceased; P.M. Ball, admr. of the estate of James F. Jones, Jr., decd.; Melissa Reaser; Lizzie Jones; B. Crockett Jones; Mannassa Reaser; T.T. Riddle; Beverly C. Jones; Chas. H. Jones; and France Miles:

Whereas by a decree entered in the above styled causes now pending in the Circuit Court of Lee County, Virginia, on the 21st day of May, 1908, appointing the undersigned for the purpose and requiring him to ascertain and report as follows:

1. To take state and settle the administration account of P.M. Ball, administrator of the estate of James F. Jones, Sr., decd., showing what amount, if anything, is in his hands as said administrator for the payment of the debts of the said decedent, or what sum should have come into his hands by the use of due diligence;
2. To ascertain and report what real estate, if any, the said James F. Jones, Sr., decd. possessed and owned at the time of his death;
3. To convene the creditors of the said estate of the said James F. Jones, Sr. decd., and ascertain and report to the Court the indebtedness of the said estate, by judgment or otherwise, showing priorities, amounts and to whom due;
4. To ascertain and report to Court the indebtedness of the estate of James F. Jones, Jr. decd., showing to whom due, the amount thereof, and their priorities; ^{to ascertain the true} the real estate owned by the James F. Jones, Sr. decd., at the time of his death;
5. To ascertain and report to Court the liens, by judgment or otherwise, against the real estate of F.T. Riddle;
6. To ascertain and report to the Court, the rental value respectively, of the lands owned by the said James F. Jones, Sr., decd., and James F. Jones, Jr., decd., at the time of their deaths, and of the real estate owned by the said F.T. Riddle;
7. To report any other matter deemed pertinent by himself or required by any party in interest.

Now, therefore, NOTICE is hereby given that the undersign will sit in his office in the town of Jonesville, Virginia, on the 29 day of November, 1911, for the purpose of performing the duties required of him by said decree, at which time, and place all parties in interest are required to attend, with such papers, vouchers, books and other evidence as will enable the undersigned to perform said duties. Said sittings will be adjourned from time to time, and from place to place or at the same place until said work is completed.

This the 14th day of November, 1911.

Geo. P. Cridlin
Special Commissioner

France Miles, Recs

vs. { In clp.

P. M. Ball, adms et al

Comr. Notice

Executed by
submitting a true
copy of the return
to P. M. Ball's wife
at his usual place
of abode. He has
self rat- being found
there

This Nov 18-1911

C. E. Gault & S

For W. J. Tucker

\$16

GEO. P. CRIDLIN
ATTORNEY AT LAW
JONESVILLE, VA.

Nov. 15, 1911.

Mr. Thomas Cooney,

Dryden, Va.,

Dear Sir:

I herewith enclose some notices which I desire you to serve on such of the parties as you can find in your end of the County. I think they live up in the Cove country somewhere. Probably Mr. Riddle can tell you which of them you will find in the county, and where to find them. I am sending one to Mr. Garrett to serve on P.M. Ball, so you need not bother about him. Make your return on the outside copy which has Xxxx style of the case written on it and return it to me at once.

Very truly yours,

Geo. P. Cridlin

The 12. Rascals Woman are dead & Charles & Jones
Jas. In West Va Mrs Riddle is sick I dont wa
Whether Crockett Jones will come are not he
said he did not do any thing a hunt the
matter & would not be worth any thing for him
to go I summoned just the same yurke
That boony

France Miles, Receiver &c.....Plaintiff.

Vs.

P.M.Ball, admr. of J.F.Jones,deceased,et al.....Defendant.

and

France Miles,Receiver &c.....Plaintiff.

Vs.

P.M.Ball, admr. J.F.Jones,Jr. et al.....Defendants.

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for
Lee County, Virginia.

Your undersigned was by a decree entered in the above styled
cause on the 15th day of May,1905, appointed a Special Commissioner
for the purpose and directed to ascertain and report to court as
follows:

FIRST: Take, state and settle the administration account of
P. M. Ball, administrator of J.F.Jones, Sr., deceased, showing what
amount, if any, is in his hands for the payment of debts for decedent,
or what sum should have come into his hands by use of due diligence.

SECOND: To ascertain and report the real estate, if any, the
said J.F.Jones, Sr., deceased, possessed and owned at the time of his
death.

THIRD: To convene the creditors of said estate of the said J.F.
Jones, Sr., deceased, and ascertain and report to the court indebted-
ness of said estate by judgment or otherwise, showing priorities,
amounts and to whom due.

FOURTH: To ascertain and report to court the indebtedness of
the estate of J.F.Jones, Jr., deceased, showing to whom due, the amount
thereof and priorities.

FIFTH: To ascertain the other liens, if any, against the real es-
tate owned by J.F.Jones, Sr., deceased, at the time of his death, show-
ing the amount, priority, and to whom due.

SIXTH: Ascertain and report to court the liens by judgment or
otherwise against the estate of F.T.Riddle.

SEVENTH: To ascertain and report to court the rental value res-
pectively of the lands owned by J.F.Jones, Sr., deceased, and J.F.
Jones, Jr., deceased, at the dates of their deaths respectively and
the real estate now owned by the said F.T. Riddle.

EIGHTH: To report any other matter deemed pertinent by himself
or required by any party in interest.

Your Commissioner has served notice on all the resident parties
in these causes, notifying them of the time and place of his sitting,

to report under the direction of the aforesaid decree, and hereto attaches copy of said notice with the return of the officers thereon.

Your Commissioner, soon after said decree was entered, also served notice and attempted for considerable time, to obtain certain information and to have parties submit to him sufficient and proper evidence upon which to base a report under above references, but was never able to obtain the sufficient information to make a complete and full report. One or two depositions were taken soon after the first notice was served and they are hereto attached as part hereof marked "Evidence".

The attorney who originally instituted this suit has removed from this County and seems to have abandoned the case some years ago. The plaintiff has obtained new counsel recently and at the request of his counsel your Commissioner desires to make the following report on the foregoing references.

FIRST- Your Commissioner has ascertained that nothing has ever come into the hands of P.M. Ball as administrator of the estate of J.F. Jones, Sr., deceased, which can be used for the payment of the debts of said decedent, and that, therefore, a statement of said administration account is not necessary.

SECOND: Your Commissioner is unable to ascertain that the said J.F. Jones, Sr., deceased, possessed or owned any real estate at the time of his death. The original attorney for the plaintiff in this case stated to your Commissioner that said Jones was, at the time of his death, the owner of a ten acre tract of land somewhere in Turkey Cove, but your Commissioner was able to find no title papers showing that said Jones did own said land, and no evidence was ever produced your Commissioner showing that he owned same, and the present attorney for the plaintiff informs your Commissioner that he can produce no evidence that said Jones owned any such land, and therefore, your Commissioner, under this state of facts, must report that he cannot ascertain that the said Jones owned any land at the time of his death.

THIRD: Under this reference to convene the creditors of the estate of J.F. Jones, Sr., deceased, and ascertain and report the indebtedness of his estate, your Commissioner did considerable work to very little purpose. He found that in the old Chancery cause of G.C. & C.G. Gose and others, executors, &c., against J.F. Jones, et al, that all creditors of said J.F. Jones, were convened and all the real estate owned by him sold to pay said liens. This suit stayed on the docket for some thirty or forty years and within the last few years was stricken from the docket. Your Commissioner tried to go through the file of papers in the case and ascertain whether all the liens against the lands of the said Jones were satisfied in said cause, but from the papers he found in the file, he found it absolutely impossible to ascertain which of the liens were paid, or whether or not all of them were paid, and the said Jones' property was completely consumed by sales made in the case for these liens, and your Commissioner deems it unnecessary to do further work and go to a great deal more expense to ascertain liens to satisfy which there is no property whatever. To give some idea of the number of liens which existed

against the real estate of the said Jones, your Commissioner states that he found on the judgment lien docket more than fifty judgments against said Jones, a great many of these have probably been paid, a number of them in the old Chancery cause above referred to.

FOURTH- Under this reference your Commissioner has to report about the same state of facts as that under the next above reference.

FIFTH- The report as to reference Third above applies to this reference.

SIXTH- Your Commissioner has not completed his work in the ascertainment of liens by judgment or otherwise against the real estate of F.T. Riddle. The deposition hereinbefore referred to was taken with reference to this matter and the plaintiff's attorney states that he desires to take other evidence.

SEVENTH- As to reporting the rental value of the lands owned by J.F. Jones, Sr., and J.F. Jones, Jr., at the time of their death, your commissioner has to report that he is unable to find that these men owned any lands at the time of their death. Therefore, he cannot make any reports as to rental value of lands. Sufficient evidence has not been yet produced your Commissioner to enable him to make a report on the rental value of the real estate owned by F.T. Riddle.

EIGHTH: Your Commissioner makes this partial report for the purpose of asking that the court reform the former decree entered herein referring these matters herin to him, and relieving him from the necessity of reporting on the 1st, 2nd, 3rd, 4th, & 5th reference herein, and also so much of the 7th reference as refers to reporting on the rental value of lands of J.F. Jones, Sr., deceased, and J.F. Jones, Jr., deceased.

To attempt to make any further report upon these references, would be to incur a great deal of expense for no purpose and your Commissioner doubts whether or not it would be possible at this late day, to report any more specifically upon said references than he has herein reported. When this decree is reformed, excluding these references, and requiring only a report as to liens against the real estate of F.T. Riddle, and as to the rental value thereof, your Commissioner thinks he can make report thereon by the next term of the court.

Respectfully submitted,

Geo. P. Cridler Commissioner.

The depositions of J. Z. B. Riddle et al taken before me Geo. P. Cridlin, Spe. Comm. in the Chy. Cause of France Miles, Rec. vs. P. M. Ball, admr. et al, taken at ~~his~~ my office in Joursvick, Va, on the -- day of -- 1905, to be read as evidence in the matter of account pending before in in said cause, in favor of F. T. Riddle.

Present: L. T. Hyatt, counsel for plaintiff and

J. C. Noel, counsel for F. T. Riddle.

J. B. F. Riddle, a witness of lawful age being first duly sworn deposes as follows:

Q. 1.-- State your age, residence and occupation.

A.-- I am 57 years old, reside in Turkey Cove Lee County, Va., and am a farmer.

Q. 2.-- Did you know James I. Jones in his life time?

A.-- I did.

Q. 3.-- Do you know F. T. Riddle and if so what relation are you to him?

A.-- I do, and I am his brother.

Q. 4.-- State if you know whether the lands of F. T. Riddle was rented by Charles T. Duncan Commissioner in the Chancery cause of France Miles, Receiver against Jas. F. Jones and F. T. Riddle? and if so who rented the lands?

A.-- I do know that the land of F. T. Riddle was rented by Charles T. Duncan Commissioner; he rented the land to me, it must have been something like 20 years ago.

Q. 5.-- State whether or not you paid the rent on said land to said Commissioner?

A.-- I do not know whether I paid it all or not, my best recollection is that I paid the sum of \$132.50 to said Commissioner, and I remember that James F. Jones, who was present when I paid the money said

that had secured it. J.A.G. Hyatt was also present when I paid said money

Cross Examination,

X.Q.1.-- Was it the place on which Frank Riddle now lives that was rented?

A.-- Yes sir.

X.Q.2.-- Your recollection is that you was to pay the \$122.50 for the whole time that you rented it.

A.-- My recollection is that I paid that much on the rent. It was rented out at the front door of the Courthouse, and we went into the Clerk's Office and that's what they said it was and I paid it over.

X.Q.3.-- Do you remember how many years you rented the land for?

A.-- I am not certain whether it was for three years or not, but I think it was.

X.Q.4.-- Do you remember whether you executed any notes to Duncan?

A.-- I don't remember.

X.Q.5.-- Was Frank Riddle here that day?

A. He was at home sick.

X.Q.6.-- Did Judge Duncan give you any blank notes to take home with you?

A.-- Not that I have any recollection of.

X.Q.7.-- Did he give you a receipt for the money you paid him?

A.-- Not that I have any recollection of.

X.Q.8.-- Did you pay your own money or did Frank Jones furnish the money?

A.-- I had some money and gave it to Jones and he paid the money over to Duncan.

And further this deponent saith not.

F. B. Riddle

F.B.Riddle, another witness of lawful age being duly sworn deposes as follows:

Q.1.-- You are one of the defendants in this case are you not?

A.-- I am.

Q.2.-- Were you present when your land was rented in the Chancery cause of France Miles Receiver vs. yourself and J.F.Jones?

A.-- No sir. I was sick and could not be present.

Q.3.-- Do you know anything about whether the judgment was paid by the rental of you land?

A.-- That was my understanding that it was.

Q.3.-- State whether or not you ever had any conversation with C.T.Duncan, Commissioner in that case, and if so what the conversation was?

A.-- I did have a conversation with said Duncan. I went to see him about twelve months ago, and asked him about renting my land, and he first said that he had no recollection of it, that so much such things went through his hands that he could not recollect it, but he studied a little and I named to him about Floyd Riddle renting it, and he said yes, I rented there was some money paid, but I don't recollect how much, and that was about all that was said.

Q.4.-- Were you ever asked to pay any more on the judgment against yourself and J.F.Jones in this case, after your land was rented by anybody until after the death of Frank Jones?

A.-- I was not, and I supposed it was settled entirely.

And further this deponent said not.

J. I. Riddle.

F.I.Riddle being reintroduced by Counsel for plaintiff says he is acquainted with the parcel of land in possession of James F. Jones Sr. at the time of his death, that he lies within less than one-half mile of said land, and that he considers \$10.00 per annum a fair cash rental value for the same.

And further deponent said not.

J. F. Riddle

Virginia, Lee Co. to-wit.

The foregoing depositions of J. B. F. Riddle and J. I. Riddle, were taken, sworn to and subscribed before me at the time place and for the purpose in the caption mentioned

Geo. P. Cridler, Spe. Comm.

Trance Miles -

75 } Report of
 } Geo P Criddle
 } Comrs

F. J. Riddle

Filed Feb 10. 1912
J. W. Eddis,
Clerk

Comrs. fee \$7.50

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of James H. Jones Adm'r &c
Wm. L. Slump J. A. Hyatt and Carr Bailey

Late in your Baliwick, you cause to be made \$ 150.31 with legal interest thereon from the 1st day of
January 1876. till payment, which James W. Orr Receiver

Lately in our Circuit Court of Lee County has recovered against them debt by suit for the benefit
of Caroline Leabrook heirs, also \$ 7.70 which to the said Orr Receiver
in our Court were adjudged for his costs in that behalf expended, whereof the said
James Slump Hyatt & Bailey are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Circuit Court at
the Courthouse on the first Monday in May next to render to the said Orr Receiver
of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 16th
day of February 1882, in the 106 year of the Commonwealth

J. A. Hyatt CLERK.

Orr Co. 68
Co. 58
1.36

78

Chcy

(13)

Jas. W. Orr Receiver
US³ Hi Ha

James L. Jones Auditor

May Rules 1882

proper fund
H. Miles D. J. for
L. D. Cley, D. C.

Or. as of Jan'y 1 - 1876 - by Jones

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

We Command You, That of the Goods and Chattels of

James F. Jones Adm. of Mary Jones, H. C. Slump, J. H. Hyatt & Carr Bailey

late in your Bailiwick, you cause to be made \$ *150.31*, with legal interest thereon from the *1st* day of *January*, 1876, till payment, which *James M. Orr Receiver*

lately in our Circuit Court of Lee County, has recovered against *them* by suit for *Deceit*

Also, \$ *224* — — —, which to the said *Orr Receiver*

— — — in our Court were adjudge for *his* costs in

that behalf expended, whereof the said *James F. Jones, Slump, Hyatt and Bailey* are — — — convicted, as appears to us of record. And that you

have the same before the Judge of our said Court at the Court House on the first Monday in *September* next, to render to the said *Orr Receiver*

of the *Deceit* — — — and costs as aforesaid. And have then and there this Writ.

Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this *24th* day of *June*

1884, in the 10 *8* year of the Commonwealth.

J. A. G. Hyatt Clerk.

608

EN 6136

\$204

Cor. pr. decrees in chancery of James F. Jones vs
J. M. Corabrese. Jan'y 1st 1876. One half this fifa \$75.15 1/2

78/ Chcy 118

James W. Orr Rec'd

W³ Hi Fa

James F. Jones Adm'r
+ others

To Sept. Rules 1884

Received on the 11th day of
Sept. 1884 the sum of
\$100.00 from the
J. W. Orr Rec'd
for the sum of \$100.00
paid to the
J. W. Orr Rec'd

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You that of the Goods and Chattles of *James F. Jones, Limothy Lisk,*
J. M. Ward, Wm. A. Ward and H. L. Riddle

Late in your Baliwick you cause to be made \$ *245.34* the penalty of a Forthcoming Bond, to be discharged
by the payment of \$ *122.27* with legal interest thereon from the *13th* day of *August*
18*84* till payment which *James W. Orr Receiver &c*

Lately in our Circuit Court of Lee County has recovered against *them* by motion on said Bond;

also \$ *5.65*

which to the said

Orr Receiver &c

in our Court were adjudged for

this costs in that behalf expended whereof the said
Jones, Lisk, J. M. & W. A. Ward & Riddle are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the

Courthouse on the first monday in *June*

next to render to the said

Orr Receiver

of the

Debt

and costs as aforesaid.

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the courthouse this

day of

April

188*5* in the 10 *9* year of the Commonwealth.

J. A. G. Hyatt Clerk.

C 340
S 2.00
Co to 5.65

205) Circuit (R 244)
Mr. 28

Gas. W. Overreimer

vs $\frac{3}{3}$ fi fa

J. H. Jones et al
No security to be taken

To James Rules 1885

No property found

R & Flanary S.F.C.

KNOW ALL MEN BY THESE PRESENTS,

That we *James H Jones*
Wm Ward
are held and firmly bound unto *James W Orr Receiver*

In the just and full sum of *Two hundred & forty five* dollars and

thirty four cents, the payment whereof, well and truly to be made to the said *James*

H Jones or his certain attorneys, executors, administrators or as-

signes, we bind ourselves, our heirs, executors and administrators jointly and severally, firmly by these

presents. And as to the above obligation, we each of us, waive the benefit of our Homestead and person-

al property exemptions. Sealed with our seals, and dated this *13th* day of *Aug*, 1884.

The condition of the above obligation is such, that whereas *James W Orr Receiver*

hath sued out of the Clerk's office of the *Circuit* Court of Lee county, a writ of FIBEL FACIAS against

The goods and chattels of the above bound *James H Jones*.

which writ, with legal costs attending the same, amounts to the sum of *one hundred*

Twenty Two dollars and *eighty* cents, and whereas *R. D.*

Flanery a deputy for Sheriff of the county of Lee

by virtue of said writ, to the said Sheriff directed, hath taken the following property belonging to the said
to satisfy the same, to wit:— *Two Gray Mares*

And the said *James H Jones* being desirous of keeping the said property in

his possession until the day of the sale thereof, hath tendered the above bound *L. C. Middle*

and *Timothy Sisk* as security for the forthcoming and delivery thereof on the
day and at the place of sale: Now, if the above bound *James H Jones*

or either of them, do and shall deliver the aforesaid property to the said Sheriff or either of his deputies, at

the Court-House in Jonesville, on the first day of the *September* Court next that being

the time and place appointed for sale of the same, then the above obligation to be void, or else to remain
in full force and virtue.

Signed, sealed and delivered in the presence of

James H Jones [SEAL.]

L. C. Middle [SEAL.]

Timothy Sisk [SEAL.]

Wm Ward [SEAL.]

Wm A Ward [SEAL.]

6 3.40
5 2.00
Co 6 5.40
25
75.65

James W. Orr Recd

no 3 T. C. 13

James F. Jones et al

Filed Sept. 8th 1884.

J. A. L. Hyatt & Co.

1885: Mr. J. J. T.

To James H Jones, F. T. Riddle Timothy Sisk, J. M.
Hurd & W. L. Ward.

Gentlemen,

Whereas on the 13th day of
August 1884, you executed to me a foregoing
bond in the penalty of \$248.34 to be discharged
by the payment of \$122.67 yet with this condition
that if you should deliver to R. D. Hensley Sheriff
of Lee County or either of his deputies at the Court
house in Jonesville on the first day of the September
term 1884 of the County Court of said County, two
gray horses levied on by said Sheriff to satisfy
an execution in his hands in my favor against
James H Jones. Adm'r of Mary Jones, H. C. Blum, J. A.
G. Hyatt & Carr Bailey issued from the Clerk's of-
fice of the Circuit Court of said County, on the 24th
day of June 1884. And whereas you & each of you
have failed to deliver to said Sheriff or to either
of his deputies said property on the said day of sale.
Notice is hereby given you and each of you that
on the 4th day of the next term of the said Circuit
Court at the Court house of said County, I will
swore the said Court for judgment against you
& each of you for the penalty of said bond but to be
discharged by the payment of said sum of \$122.67
with legal interest thereon from the said 13th day of
August 1884, until paid & the costs of this motion.

For 15th 1884.

James W. Orr, Ricciss

James W. Orr Receiver
 vs Notice
 James H. Jones et als.
 4th day 1st Term 1884.
 I accept legal service
 of this Notice.
 Aug 15th 1884.
 Timothy X Sisk
 mark

Executed by delivering
 three copies of this
 Notice to J. M. Ward &
 F. Jones, F. of Riddle &
 the wife of W. A. Ward
 She being a white person
 over 16 years old & by
 reading & explaining the
 same to her and he nothing
 at personal appearance
 Jan 19th 1885.

We accept legal service of the within Notice for the
 first day of March term 1885 of Lee County Circuit
 Court & do the for said Motion to be made on that day.
 January 1885.

Timothy X Sisk
 mark

J. M. Ward

W. A. Ward

F. Jones

F. of Riddle

NFO-T-I-C-E .

France Miles, Receiver &c. - - - - - Plaintiff.

Vs. In Chancery.

F. T. Riddle - - - - - Defendant.

Whereas, by a decree entered in the above styled cause by the Circuit Court of Lee County, Virginia, on the 21st day of February, 1912, it was among other things adjudged ordered and decreed that the undersigned Geo. P. Cridlin was appointed a Special Commissioner for the purpose and directed to ascertain and report to the said Court all the judgment and other liens against the real estate of the said F. T. Riddle, and whether or not the said real estate will r rent for a sum sufficient in five years to pay the judgment liens, exclusive of all other liens.

Now, therefore, NOTICE is hereby given that the undersigned will sit in his office in the town of Jonesville, Lee County, Virginia, on the 15th day of March, 1912, for the purpose of performing the duties required of him by said decree, at which time and place all persons in interest are required to attend with all books vouchers, papers and other evidence which may be necessary to enable said Commissioner to ascertain the facts required. If said account is not completed on said date, the taking thereof will be adjourned from time to time and from place to place or at the same place, until the same is completed.

This February 28th, 1912.

Geo. P. Cridlin
Special Commissioner.

France Mills Rec -

vs { In Chouancy

P. M. Buel Allen

F. T. Riddle & Co

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